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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 6th meeting
Held at Headquarters, New York, on Monday, 19 June 2017, at 3 p.m.

Chair: Mr. Ramírez Carreño ..... (Bolivarian Republic of Venezuela)

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The meeting was called to order at 3.10 p.m.

Special Committee decision of 20 June 2016 concerning Puerto Rico (*continued*)
(A/AC.109/2017/L.12 and A/AC.109/2017/L.13)

1. **Mr. Suárez Moreno** (Bolivarian Republic of Venezuela), speaking on behalf of the Movement of Non-Aligned Countries, said that the people of Puerto Rico had the right to self-determination and independence, on the basis of General Assembly resolution 1514 (XV), and the Movement called for the prompt implementation of the related resolutions, many of which had been adopted by consensus within the Special Committee. It hoped that, as in previous years, the Committee would adopt, by consensus another resolution on the question of Puerto Rico that took into account the Movement's position. The Movement also welcomed the decision of the United States Government to commute the sentence of Oscar López Rivera.

2. The United States Government must assume its responsibility for expediting the process that would allow the Puerto Rican people to fully exercise their inalienable right to self-determination and independence. It must also return to them the occupied land and facilities of Vieques Island and the Roosevelt Road Naval Station. The Movement remained concerned at the imposition of a financial oversight board on the Government of Puerto Rico, which would encroach upon its already limited power over its budget. The political subordination of the Puerto Rican people impeded their sovereign capacity to take decisions to address their economic and social problems, including the current fiscal crisis, the insolvency of the Government and the need to restructure the public debt.

3. **Mr. Arancibia Fernández** (Plurinational State of Bolivia) said that his delegation extended a warm welcome to Oscar López Rivera on the occasion of his first appearance before the Committee. His exemplary struggle had not been in vain; indeed, his recent liberation marked a step forward on the path towards Puerto Rico's independence. He would continue to enjoy the support of the Latin American and Caribbean region, particularly through the Committee; it remained the appropriate forum to discuss the liberation of peoples from the colonial yoke, without which there could be no guarantee of international peace and security.

4. Puerto Rico formed part of Latin America but had been divested of its sovereignty, which had been violated through the imposition of colonial status; that had prevented it from achieving its potential. It was high time that Puerto Rico returned to its Latin American family. His delegation called on the United States Government to allow the people of Puerto Rico to enjoy their inalienable right to self-determination and independence and at the same time to return to them their lands and bear the costs of cleaning up areas used for military exercises. The cause of a free and independent Puerto Rico was a fundamental one and of direct relevance to all the peoples of Latin America and the Caribbean.

5. **Mr. Falouh** (Syrian Arab Republic) said that his delegation welcomed the presence of Oscar López Rivera, who had been imprisoned for years for defending his people's legitimate right to self-determination. Over the previous 40 years, the Committee had adopted numerous resolutions on the question of Puerto Rico. Those resolutions had affirmed that Puerto Rico was part of Latin America and the Caribbean and urged the United States Government to fulfil its obligation to expedite the process of allowing the Puerto Rican people to exercise self-determination. His delegation hoped that the current draft resolution would be adopted by consensus, as in previous years, attesting to the importance of international legitimacy.

6. **Mr. Hermida Castillo** (Nicaragua) said that the release of Oscar López Rivera represented yet another victory for the Puerto Rican people, who had rallied behind his just cause and created a movement of international solidarity in his support.

7. In accordance with General Assembly resolution 1514 (XV), the Committee should step up its efforts to help create the conditions for non-self-governing peoples and territories to exercise their right to self-determination and independence. While it had achieved a great deal in that respect, particularly in the wider Caribbean region, most of the peoples in that region were still suffering from the after-effects of colonialism. The Community of Latin American and Caribbean States (CELAC) had accordingly declared the entire region a zone of peace in order to rid it completely of colonialism and colonies.

8. Puerto Rico was unquestionably a Latin American and Caribbean nation, with its own identity and history, but for more than a century its sovereignty and independence had been violated at the hands of colonialism. Its credit situation, starting with its unpaid debt and the austerity measures imposed by the financial oversight board, had culminated in a formal notice of bankruptcy which was turning into the worst fiscal and economic crisis known by the Puerto Rican

people in 50 years. In addition to giving further evidence of the collapse of its colonial status, that crisis was having other worrying consequences, such as school closures, reduced benefits for public and private sector employees, university cuts and the rationing of health care, education and other basic services. The Committee and the international community must therefore give closer attention to such developments, while the Committee's long-standing request to the General Assembly to consider more comprehensively all aspects of the colonial situation of Puerto Rico should be pursued with increased energy.

9. **Mr. Sevilla Borja** (Ecuador) said that Ecuador continued to support the inalienable right of the Puerto Rican people to self-determination and independence, in accordance with General Assembly resolution 1514 (XV). In recent months, two significant events had confirmed the legitimacy of that people's struggle for decolonization. First, the country had suffered an economic, social and financial collapse which its status as a so-called Commonwealth had not allowed it to address either through the management of its public affairs or through a process of self-determination and self-governance. The appointment by the United States Congress of a financial oversight board was a clear illustration of the persistence of a colonial situation in Puerto Rico. Second, the recent sham referendum, which had failed to meet international standards and had required the population to vote on the country's annexation as yet another one of the United States of America, had been shunned by 77 per cent of the population.

10. It was a cause for celebration that Oscar López Rivera had rejoined Puerto Rico's struggle for independence as a free citizen. The Latin American and Caribbean community of sovereign States would not be complete until it included Puerto Rico as a full member. It was incumbent upon the international community to support that process, while at the same time the administering Power must meet its related obligations under the Charter of the United Nations.

11. **Mr. Arcia Vivas** (Bolivarian Republic of Venezuela), speaking in his national capacity, said that his delegation welcomed the release of Oscar López Rivera and commended the Committee for its part in the international campaign for his liberation. Despite the many resolutions adopted by the Committee, much still remained to be done to ensure the self-determination and independence of Puerto Rico and other States under colonial domination. Puerto Rico was subject to manipulation by the United States, which had imposed a mountain of laws and regulations that had blocked its economic progress, preventing it from entering on its own accord into economic agreements or from joining existing regional and subregional partnerships and resulting in an acute crisis and an insurmountable public debt. The sham solution foisted upon it by the United States Congress, in the form of an oversight board empowered to determine the use of public money, together with austerity measures including cuts in the financing of public services, could not spell the end of the Puerto Rican people's struggle for decolonization. As for the plebiscite called by the current governor, its very legitimacy had been questioned even by other politicians and it had been boycotted by the vast majority of the population. Colonialism was a blot on the conscience of humanity and a violation of international law. The international community must therefore redouble its efforts to expedite the process to allow the Puerto Rican people to fully exercise their inalienable right to self-determination and independence, in accordance with General Assembly resolution 1514 (XV).

12. **Ms. Rodríguez Camejo** (Cuba) said that Oscar López Rivera embodied the resistance, pride and bravery of the Puerto Rican people, and his example should spur the Committee to redouble its efforts in support of the legitimate aspirations of colonial peoples struggling to exercise their right to self-determination.

13. Since the imposition of commonwealth status more than 60 years earlier, under the misnomer of an *Estado Libre Asociado* ("Free Associated State"), the island's so-called freedom had been subject to the full authority of the United States Congress, including in matters of defence, international relations, foreign trade and monetary policy. Its status was a masquerade, maintained by the United States Government for the purpose of colonial domination, and had been laid bare by the United States Supreme Court, Congress and even the Administration itself, upon its being clearly established that Puerto Rico did not enjoy sovereignty and that it was a colonial territory entirely subject to the rule of Washington. Notwithstanding the rejection by the bulk of the population in November 2012 of its current position of political subordination, the colonial situation of Puerto Rico remained unchanged.

14. The 2017 referendum had been one more sham, rejected by the different political parties, as evidenced by the low voter turnout. It had not been a legitimate exercise in self-determination as it had not been designed to promote decolonization in accordance with General Assembly resolution 1514 (XV). Since the Committee's previous discussion, economic and social conditions in Puerto Rico had worsened. With a

depressed economy and a public debt of $70 billion, it had been forced by the financial oversight board imposed by the United States Government to submit to draconian cuts in basic public services.

15. Cuba reaffirmed the inalienable right of the Puerto Rican people to self-determination and independence, in accordance with the aforesaid resolution, and the applicability to the question of Puerto Rico of the fundamental principles set out therein. The final determination of Puerto Rico's fate was not a domestic matter for the United States; it rested with the Special Committee on decolonization and the entire international community. The 2017 Summit of the Community of Latin American and Caribbean States (CELAC) had reiterated the Latin American and Caribbean character of Puerto Rico, while the 2016 summit meeting of the Non-Aligned Movement had reaffirmed the Puerto Rican people's right to self-determination and independence and had urged that all aspects of the case of Puerto Rico should be considered by the General Assembly.

16. The colonial situation of Puerto Rico must be resolved as a matter of urgency in accordance with the mandate of the United Nations. Cuba, for its part, was historically committed to the self-determination and independence of the Puerto Rican people, from whose midst had arisen individuals dedicated to that cause down through the centuries, setting an example not only for Puerto Rico but also for Cuba; despite efforts to separate them, the two nations remained forever united by centuries of history. More than 119 years of colonial domination could not suffice to assimilate or daunt the Puerto Rican people or to divest them of their national culture, identity and feeling.

17. **Mr. Zamora Rivas** (El Salvador), speaking on behalf of the Community of Latin American and Caribbean States, said that the importance of the Latin American and Caribbean character of Puerto Rico had been highlighted at the highest level at the CELAC Summit held in January 2017. The Community had, moreover, noted the Committee's decisions on the subject and had reiterated that it was a matter of interest to it. CELAC member countries were committed to continuing to work in accordance with international law, particularly General Assembly resolution 1514 (XV), to make the Latin American and Caribbean region an area free of colonialism and of colonies.

Hearing of petitioners (continued)

18. **The Chair** said that, in line with the Committee's usual practice, petitioners would be invited to take a place at the petitioners' table and would withdraw after making their statements.

19. **Mr. Nieves** (Brigada Guarioneo) said that Borinken had for centuries been inhabited and governed by its ancestral owners, the indigenous Taino. However, first Spain, in 1493, and then the United States had invaded the territory and stolen the land, to which consequently neither country had any right. The colonial system imposed by Borinken's commonwealth status was not a legitimate government. Colonialism was prohibited; it was considered a crime in all its forms under General Assembly resolution 2621 (XXV). How could the United States be committing such a crime in the twenty-first century? By any definition, the imposition of an oversight board, a foreign President and a Congress which Puerto Ricans could not elect amounted to a dictatorship. United States control had resulted in a terrible debt and economic collapse. In a free Puerto Rico, that debt would be regarded as illegitimate and would be cancelled.

20. Borinken must be free; such was its inalienable right, as recognized in General Assembly resolution 1514 (XV). Its independence would thereby be exercised immediately, by law. The United States had sought to destroy Borinken nationality in vain; Borinkens were even born in New York. Puerto Rico was not an uninhabited island settled by the people of the United States but the home of a people who had inherited it from the Carib and Taino indigenous population. The Borinken nation had the right to exercise full sovereignty under a sovereign government, with a seat in the United Nations General Assembly. His organization called on the Committee to act on behalf of Borinken and to seek the abolition of the colonial and illegal government currently imposed by Puerto Rico's current status, as well as the transfer to the Borinken nation of the sovereign powers usurped by the United States.

21. **Mr. Lugaro Segarra** (Partido Nacionalista de Puerto Rico) said that since the United States had acknowledged that Puerto Rico was its possession and the United States Congress had sovereign power over it, and following the adoption of the Act of Congress establishing an oversight board with members appointed by Washington, the empire's own system for the administration of its colony had become inoperative. It had been made clear once again that the international community had been deceived by the United States in 1953 in order deliberately to prevent the United Nations from exercising control over Puerto Rico as a non-self-governing territory. While the political, economic and social relations between the United States and Puerto Rico had remained unchanged

in 119 years, the latter's status as a non-self-governing territory could not be considered unchanged from what it was prior to the adoption of General Assembly resolution 748 (VII) in 1953.

22. Puerto Rico was experiencing a profound crisis in all aspects of society. Having seen its sovereignty violated by the United States Congress since the United States invasion, it lacked the capacity to take charge of its own development. Its huge debt had been contracted by the so-called Government of Puerto Rico; it was not the debt of the Puerto Rican people but that of the empire. Moreover, the United States had a debt to Puerto Rico, having subjected it to a century of exploitation, experimentation and killing. The United Nations had a duty to concern itself with the profoundly critical situation of Puerto Rico, which had been brought to the brink of the collapse of human rights, starting with the right to life and existence as a nation. Accordingly, and in the light of Article 73 of the Charter of the United Nations, given that the situation of Puerto Rico, like that of any colony, was not a domestic matter and since the United States must recognize the principle of the inalienable interests of the inhabitants of that territory, it should be required by the United Nations as the administering Power to submit a report on the social, political and economic conditions of Puerto Rico and on the steps taken by it to give the territory its independence. His party requested the Committee to undertake an independent investigation of the situation of Puerto Rico or, failing that, to recommend such an investigation in its report to the Fourth Committee.

23. The Partido Nacionalista de Puerto Rico rejoiced in the release of Oscar Lopez Rivera and welcomed his presence in the meeting room. It called for the speedy release of the Puerto Rican prisoner of conscience Ana Belen Montes and of all political prisoners throughout the world.

24. **Ms. Rodon Ramos** (Fuerza de Resistencia Cívica Boricua) said that her organization promoted peaceful civil resistance to liberate the people of Puerto Rico and restore its sovereignty once and for all by replacing the illegitimate colonial system with a new one based on justice, liberty, equity and solidarity. The oppressive United States Government had plunged Puerto Rico into an unprecedented political, social and economic crisis. The recent plebiscite had been fraudulent, as it was impossible to liberate a people using the very mechanisms that supposedly legitimized United States imperialism. Her organization therefore called on Member States not to collaborate with that regime in any way. It also supported the petition for accreditation of the National Sovereign State of Borinken as a Member State, which would put an end to the colonial oppression and exploitation endured by her people for over 500 years.

25. **Ms. Ortega** (International Human Rights Association of American Minorities), delivering a statement on behalf of the National Sovereign State of Borinken, said that the Committee should condemn and declare null and void the fraudulent, illegal so-called plebiscite held in Puerto Rico on 11 June 2017 as a violation of the right of the Puerto Rican people to self-determination. A genuine plebiscite would require four conditions to be met: United Nations supervision; full withdrawal and confinement of Yankee military forces, security agencies and intelligence services to their military bases; a substantial period of time for Puerto Ricans to educate themselves through free and fair media and to pursue genuine debate of the available options; and a pre-plebiscite guarantee that the will of the Puerto Rican people would be respected whatever the outcome, including and especially independence. The Committee should recognize the National Sovereign State of Borinken, which had complied with all the requirements for admission to the United Nations as a full-fledged Member State, and should forward its recognition to the General Assembly and the Security Council for their consideration and action.

26. **Mr. Alicea Rodriguez** (Colegio de Profesionales del Trabajo Social de Puerto Rico) said that ravages of the colonial power's assimilation campaign, establishment of repressive institutions and physical aggression and hate crimes underscored the pernicious effects of colonialism on the Puerto Rican nation. The unilateral imposition of a financial oversight and management board for Puerto Rico and the granting of supreme decision-making authority to that board further highlighted the country's colonial subjugation. The board had evinced its incompetence and disdain for the Puerto Rican people's human rights and social reality by destroying institutions responsible for guaranteeing a decent standard of living for the population and promoting harsh labour conditions. Both democracy and legitimate demands for fiscal, administrative and political transparency eluded the Puerto Rican people. Three quarters of the child population lived in extreme poverty and thousands of children were deprived of special education services, access to medication and safe drinking water.

27. The law establishing the board had clearly been enacted to serve the interests of the colonial Puerto Rican Government's creditors. The austerity measures promoted by the board were having a particularly distressing impact on the socioeconomic conditions of

Puerto Rican families, impoverishing them further and driving many Puerto Ricans to emigrate, including eminent professionals who could make a vital contribution to rebuilding a society devastated by colonialism.

28. The colonial question of Puerto Rico must be brought before the General Assembly, which should compel the United States to facilitate a genuine decolonization process that offered the Puerto Rican a full range of options, on the basis of international law, unlike the recent plebiscite, which was not valid.

29. **Mr. Martínez Velázquez** (Movimiento Unión Soberanista) said that, after years of sweeping the colonial status of Puerto Rico under the rug, the United States had recently admitted to possessing a colonial territory, in violation of the Charter of the United Nations and numerous resolutions and international treaties that the country had ratified. The Committee should denounce the United States Government's immoral and illegal claim that the ultimate source of governmental power in Puerto Rico lay in the United States Congress. Sovereignty over Puerto Rico was the inalienable right of its people. Moreover, the United States must promptly facilitate the Puerto Rican people's exercise of self-determination and thereby uphold that people's fundamental human rights. The plebiscite held on 11 June 2017 did not constitute a legitimate exercise of that right as a result of the United States Government's interference, its shameful inclusion of colonial status as a permissible option and the abstention of 67 per cent of the Puerto Rican people, indicating that only the factions in favour of annexation had taken part. The crudely colonialist subjugation of Puerto Rican political institutions to the financial oversight and management board meant that integration could not be considered a viable option for the decolonization of Puerto Rico, in accordance with Principle IX of General Assembly resolution 1541 (XV), which held that the integrating territory should have attained an advanced stage of self-government with free political institutions.

30. His delegation called on the Committee to rule out the integration option proposed by the United States and welcomed the Committee's initiative to promote dialogue between the United States Government and Puerto Rican political organizations, with a view to enabling the Puerto Rican people to exercise their right to self-determination through a constitutional assembly on status. Only those organizations, such as his own, that had adopted free association as a decolonizing option should be permitted to represent that option in the dialogue.

31. **Mr. Alomar** (Organization for Culture of Hispanic Origins) said that, year after year, Puerto Rican petitioners came to plead, in vain, with a Committee that did not even list the island as a colony and that continued to bear witness to its destruction, even in the midst of the Third International Decade for the Eradication of Colonialism, after two others had come and gone. He wondered what must be done to get Puerto Rico the help it needed. The administering Powers of the Non-Self-Governing Territories had failed to uphold their obligations under the Charter of the United Nations, and the Organization and other international bodies had failed to hold those Powers accountable. Meanwhile, Puerto Rican men, women and children faced dire socioeconomic conditions — families forced to bring their children to orphanages, hospitals and schools overtaxed or shut down altogether, utility rates soaring — a plight that the Committee's inaction made it complicit with. Neither responsible for the colonization of Puerto Rico nor capable of decolonizing it, the Committee was the activists' link to those who were.

32. Colonization — exploitative, often genocidal and inextricably linked with racism by virtue of its promotion of one culture's superiority over another — was tantamount to extinction. The United Nations had acknowledged as much by adopting the Declaration on the Granting of Independence to Colonial Countries and Peoples, which had called for a speedy end to colonialism. His island's decolonization process had been anything but speedy, and the time had come for the Committee to match the arduous efforts of Puerto Rican activists to end his people's suffering.

33. **Ms. Cruz Soto** (New York Solidarity with Vieques) said that the violent dispossession of the Puerto Rican island municipality of Vieques by the United States illustrated the importance of the right to self-determination and the impact of militarized colonialism. Presently riddled with high poverty, morbidity and mortality rates, Vieques had endured 60 years of constant bombings, resulting in environmental devastation. Moreover, its people had been denied the infrastructure they needed to flourish. Had Puerto Rico not been a colonial state, the expropriations would not have unfolded in such a brutal manner, and the Navy would not have been able to act with impunity. Even after leaving the island municipality in 2003, the Navy continued to dictate the clean-up process, with the support of the United States Government, which continued to deny any relationship between decades of bombings and the health crises. Had the people of Vieques not been colonial subjects, reparations to

secure their future on their island would have been forthcoming.

34. **Mr. Toledo García** (American Association of Jurists) said that Puerto Rico was only one in a long list of colonies exploited by the empire that had conquered them, its lack of sustainable development and the grave fiscal crisis only the most recent forms such exploitation had taken. Since 1898, the United States Congress had arrogated to itself full legal authority to determine the island's fate. In 2015, the Governor of Puerto Rico had acknowledged that the island's debt, estimated at $72 billion, could not be paid and sought to renegotiate it and establish sustainable terms of payment with the creditors. To date, the Government of Puerto Rico and the financial oversight and management board established by the United States Government in 2016 refused to audit the debt; the Puerto Rican people had the right to know whether that debt had been incurred illegally, as well as the identities of the debtors, whether the interest on the debt was usurious and whether public funds had been misappropriated.

35. The United States Government must comply with its obligations under the Universal Declaration of Human Rights, the United Nations Charter and United Nations resolutions. To that end, it must restructure the debt in a way that would allow for sustainable development and must take urgent measures to contain the grave political, economic and social repercussions of the crisis. The students of the University of Puerto Rico had the right to protest the debt situation and the imminent cutbacks to University funding without fear of legal reprisal. Limited job opportunities and economic uncertainty had led thousands of Puerto Ricans to flee the island.

36. **Ms. Montes Mock** (Mesa de Trabajo por Ana Belén Montes en Puerto Rico) said that Ana Belén Montes, a Puerto Rican woman raised in the diaspora, was serving a 25-year sentence for standing in solidarity with the Cuban people and against the United States Government's aggressive designs on the sister island nation. After rising through the ranks to a high-level position in the Pentagon, she had been arrested on charges of conspiring to deliver classified information to the Cuban Government, charges she had acknowledged as true, explaining her behaviour as upholding her moral obligation to help Cuba defend itself against United States efforts to impose its values and political system on it. Sixteen of her 60 years had been spent in prison under high surveillance, and after undergoing cancer treatment, she lacked access to the medical care of her choice, reduced to receiving assistance from fellow inmates. Her valiant, unselfish acts merited the solidarity of both the Puerto Rican and Cuban communities.

37. **Mr. Bermúdez Zenón** (Grupo por la Igualdad y la Justicia de Puerto Rico) said that, as the United States continued to flout the Committee's resolutions — 36 at last count — reiterating the illegal and immoral nature of that country's colonial domination of Puerto Rico, United States invaders must be expelled from Puerto Rican national territory by any means necessary or by a United Nations coalition. Just as the American empire had finally released political prisoner Oscar López Rivera, it should follow suit by liberating Puerto Rico. American colonialism produced Puerto Ricans willing to exploit and oppress their compatriots, becoming billionaires at the latter's expense. The illegitimate financial oversight and management board must be called to account for its larceny.

38. During his electoral campaign, United States President Donald Trump had not attempted to visit Puerto Rico in search of campaign contributions, well aware of the marked difference in American and Puerto Rican customs and morals; no Puerto Rican woman would stand for the sort of conduct that the president elected by the American people had boasted of. Lastly, the plebiscite held in Puerto Rico was invalid, as a militarily occupied people could not exercise the right to vote freely.

39. **Ms. Sheridan-González** (New York State Nurses Association) said that the colonial status of Puerto Rico had had a drastic impact on the health of the population and many of the most vulnerable were now caught in a vicious cycle of poverty, illness, debt and more poverty. Colonizing Governments considered that the lives of the colonized were of lesser value. As a result, populations and environments had been used as testing grounds for activities and research. Pharmaceutical corporations had used Puerto Rican women as guinea pigs for testing oral contraceptives during the 1950s and 1960s before considering them safe for use by women in the United States, in a chilling combination of eugenics and population control, while one third of Puerto Rican women aged 20 to 49 had been sterilized without their informed consent. Medical tourism speculators were exploring the possibility of creating an organ transplant centre in Puerto Rico, citing the availability of young, healthy organs as a result of the high death rates among young people that were the direct result of poverty and violence.

40. The use of Puerto Rico as a testing ground for weapons and for military training had damaged ecosystems and led to an excessively high prevalence

of cancer and other diseases, especially on Vieques. Naval tests had devastated the fishing industry and agriculture was seriously compromised. The one-crop economy imposed by United States corporations and the absence of food processing and distribution systems meant that 90 per cent of food had to be imported, at exorbitant cost, even though it could be grown locally.

41. The imposition of the financial oversight and management board had denied autonomy, increased unemployment, lowered salaries and curtailed labour rights. Schools and hospitals had closed, and migration had reached a record high as doctors, nurses and other health professionals left in droves. Even though Puerto Ricans paid the same social security and Medicare taxes as residents of the United States, per capita health-care expenditure was a third of that in the United States, and priority was given to debt repayment.

42. Vaccination rates had declined, hospitals were facing bed shortages, emergency room waiting times were rising to dangerous levels, and vector control was inadequate. Morbidity and mortality rates were higher in nearly every category of illness than in the colonizing nation. The United States Government and the dominant banks and corporations did not have the best interests of the people of Puerto Rico at heart, and that immoral and oppressive situation should not be permitted to continue.

43. **Mr. Hart** (Socialist Workers Party) said that the release of Oscar López Rivera had been a victory for working people in Puerto Rico, the United States and everywhere else. Independence for Puerto Rico was not only a necessity if the Puerto Rican people were to freely determine their future, it was also in the interests of the working people of the United States, since all working people had common interests and struggles and all needed to be free of the United States Government and the capitalist ruling class that it represented. The global capitalist crisis was hitting the working people of Puerto Rico especially hard because of their colonial bondage to the United States, where workers and farmers faced attacks on their jobs, wages, health care and pensions, as well as unending imperialist wars abroad.

44. The $74 billion debt crisis was being used to force working people in Puerto Rico to pay wealthy bondholders and hedge funds. His Party stood in solidarity with the hundreds of thousands of Puerto Rican workers who had been forced to migrate to the United States for economic reasons, and workers in both countries would fight side by side. The United States ruling class campaigned to convince Puerto Ricans that their survival depended on the United States, just as it tried to convince working people in the United States that they were incapable of organizing society for themselves.

45. On a recent visit to Cuba, he had joined a United States delegation that had gone to Guantánamo, sovereign Cuban territory under United States control. The struggle to end colonial rule by the United States in Puerto Rico and the struggle to end the United States occupation of Guantánamo went hand in hand. Cuba's revolution showed that workers and farmers could take political power out of the hands of the capitalist class.

46. **Ms. Bustillo Hernández** (Asociación Puertorriqueña de Profesores Universitarios) said that her organization represented the largest number of teachers in the public higher education system of the University of Puerto Rico, which had provided a university education to thousands of Puerto Ricans and acted as the country's main research centre thanks to funding by the Government of Puerto Rico and the dedication of thousands of teachers, researchers and non-teaching staff.

47. The public university was now threatened as the nation faced new challenges to its human, economic, social, cultural and political development and was forced by its colonial status to resort to international legal mechanisms to demand its rights and compensation for its grievances. The financial oversight and management board intended to cut funding of the University of Puerto Rico by $3 billion over the following 10 years even though it had been the most successful socioeconomic and social-justice project in the history of Puerto Rico. High-quality, low-cost university education provided a genuine opportunity to overcome the personal, social and cultural obstacles caused by poverty. Over 55 per cent of the University's students came from public schools and most came from low-income families. The cuts imposed by the board threatened the existence of the University and thus constituted an attack by the United States Government on the right of Puerto Rico to socioeconomic development.

48. The Committee should therefore denounce the current attack by the colonial Power on the dignity of the Puerto Rican nation and in particular the policy of providing low-cost university education and health-care services; reaffirm that the University of Puerto Rico was key to the reconstruction of the country and resistance to the colonial Power; and secure the support of the international community for the demand that the United States Government should guarantee the

provision of essential and excellent health care and public education services at the lowest possible cost.

49. **Ms. Quiñones Domínguez** (Asociación de Economistas de Puerto Rico) said that Puerto Rico was an economic colony of the United States and its sovereignty was exercised by the United States Congress, which made all decisions relating to the financial system, foreign relations, migration and trade of Puerto Rico. To make matters worse, the United States was stepping up its interventionist colonial policy through the financial oversight and management board, which had imposed an austerity plan on the island in order to pay off its debt. However, that debt was of dubious origin and no audit of the debt had been permitted.

50. Puerto Rico was in a state of siege in which people in favour of independence and those who opposed public policies were criminalized by means of amendments to the criminal code. The situation had worsened following recent protests against the millions of dollars in cuts to the island's budget. Citizens had been arrested and incarcerated without due process of law. Attempts were being made to destroy the University of Puerto Rico and its ability to articulate a plan for the future of the country, provide services to the people, carry out research and improve quality of life while promoting development and growth. Students had defended education in Puerto Rico and raised the awareness of the population about the consequences of the adjustment policies but they were being prosecuted by the Government and jailed.

51. The situation in Puerto Rico was one of growing poverty, deteriorating living conditions, violence, mass emigration, insolvency and chronic indebtedness. The imposition of the interstate commerce clause of the United States Constitution was destroying commercial activity in Puerto Rico. Economic and political decisions were taken at the federal level, with adverse effects on the health and even the lives of the Puerto Rican people. The enforcement of the Merchant Marine Act forced Puerto Ricans to pay ever higher prices for their purchases. United States environmental agencies were complicit in the harm caused to the environment and people of Puerto Rico. The United States should compensate the people of Puerto Rico for the physical and mental damage caused by years of colonialism, economic and social exploitation, and environmental pollution.

52. **Ms. Ruiz Goyco** (International Law Students Association) said that Puerto Rico had always been a colony and that the Committee should bring to the attention of the General Assembly the devastating effects of the economic, social and humanitarian crisis in Puerto Rico. When the status of free association had been introduced in 1952, colonization had become institutionalized. The Supreme Court of the United States had recently ruled that the ultimate source of power in Puerto Rico lay in the United States Congress, which had adopted the Puerto Rico Oversight, Management, and Economic Stability Act ("the PROMESA Act") establishing a financial oversight and management board to assist the island's Government in handling public finances. The Act stipulated that neither the Governor nor the legislature, which were popularly elected, could control the activities of the board, nor could they promulgate or implement acts that invalidated the PROMESA Act.

53. The country was governed by board members appointed by the United States Congress and the President of the United States. In 1946, various States Members of the United Nations had drawn up a list of territories that were under their control but not autonomous. Puerto Rico remained off the list of possessions to be decolonized. The Declaration on the Granting of Independence to Colonial Countries and Peoples had been adopted in 1960 and defined certain principles of decolonization. However, because a referendum had been held in Puerto Rico and a majority had validated the status of free association, the United Nations had concluded that Puerto Rico had achieved self-determination. The reality was that the PROMESA Act was a clear example of colonialism, and was incompatible with the provisions of the Declaration. The current status had prevented sustainable development. For example, Puerto Rico could not be a member of the Organization of American States and thus could not participate in regional integration processes.

54. Public debt stood at around $74 billion, and the austerity measures hit the most vulnerable sectors of society hardest, especially women. Recently, the board had proposed a plan to restore market access and achieve a sustainable budget. To achieve those aims, a series of measures had been taken, such as school closures, reductions in support for universities, and tax and labour reforms.

55. **Mr. Camacho** (Latino Law Student Society) said that Puerto Rico was facing extermination as people left, jobs disappeared, schools closed and taxes increased. Hospitals needed doctors and locally produced food was more expensive than imported food. It was unreasonable to expect the people of Puerto Rico to accept life under a dominant master. The United States had lied to the world when it had stated in 1953 that Puerto Rico was self-governing. In

2016, the United States had established a seven-member regime to manage Puerto Rico. That regime had complete authoritarian power and it had begun to enforce it.

56. Puerto Rico was a United States colony. He had been a United States Air Force Captain in Iraq and Afghanistan and had learned to fight for democracy, but the United Nations, with its five permanent Security Council members, could be selective in tackling crises around the world. Weapons of mass destruction had never been found and the United Nations had yet to ensure justice. The Committee had the global responsibility to ensure equal human rights for all. For over 30 years, people had been calling on the Committee to refer the issue of Puerto Rico to the General Assembly and for the United Nations to accept that Puerto Rico was a United States colony. It was impossible to believe that the United Nations, a global organization, was engaging in selective diplomacy and selective democracy. Puerto Rico could not wait any longer. When diplomacy failed, war was imminent, and to fight for independence and human rights was to fight for justice.

57. **Ms. López** (New York Coordinator to Free Oscar López Rivera) said that the fact that she was addressing the Committee in the language of the oppressor was a consequence of the forced cultural assimilation of the 5.5 million Puerto Ricans living in the diaspora. The colonial conditions prevailing in Puerto Rico had been transported to Puerto Rican barrios in the United States.

58. In 2017, however, the beloved son of Borinquen, Oscar López Rivera, was home at last. Ever since his release from house arrest on 17 May, that victory had been celebrated in Puerto Rico and in the diaspora, but his appearance at the Puerto Rican parade in New York had ruffled some corporate feathers and a media campaign funded by a small elite and supported by the Federal Bureau of Investigation had been launched in order to distort and manipulate the facts and create a hostile atmosphere in which the lives of Oscar and his supporters were endangered. Strict security measures had been put in place and the hero's welcome in June had passed off successfully. The board organizing the Puerto Rican parade had remained steadfast in the face of pressure from the corporate sponsors. In Puerto Rico and the diaspora, Oscar had become a symbol of freedom and a role model for social justice because of his perseverance and resilience. His release was a glimpse of the beginning of the decolonization process.

59. **Mr. López Sierra** (Compañeros Unidos para la Descolonización de Puerto Rico) said that, after once again discussing the decolonization of his country and after the Committee had drafted resolution number 36 at the end of its work, the Government of the United States would once again be requested to restore the sovereignty of Puerto Rico immediately. If democracy meant anything, colonialism should be eradicated in the third decade devoted to that issue by the Committee.

60. The Governor of New York State, various large corporations and even the New York Yankees had boycotted the 2017 Puerto Rican day parade on the grounds that, according to them, Oscar López Rivera was a Puerto Rican terrorist, whereas he saw him as a national hero. The reason for that allegation had the same origin as the crisis in Puerto Rico. Under international law, the real terrorist was the Government of the United States. Oscar López Rivera had devoted his entire life to fulfilling the wishes of the international community, and anyone who fought for the decolonization of his homeland was entitled to use any means necessary.

61. **Ms. Martínez Padilla** (Teachers Federation of Puerto Rico) said that education under Spanish rule had been largely in the hands of the Catholic Church and the colonial authorities had shown little interest in educating the population. After becoming a colonial possession of the United States, the new regime had used the public education system as part of a systematic Americanization and assimilation process. English had become the official language in schools until international pressure had led to the introduction of the status of free association, giving the misleading impression that Puerto Rico had been decolonized.

62. By 1990, only 10.9 per cent of the population was still illiterate, mainly thanks to a competent and committed teaching profession. In spite of the great advances achieved in the late twentieth century, Puerto Rico still did not have its own educational philosophy and the federal authorities were highly intrusive in the education system. That situation was made worse by the imposition of a dictatorial financial oversight and management board that had ordered draconian cuts in the budgets of the Department of Education and the University of Puerto Rico to make the island repay an illegal debt. Puerto Ricans could not achieve their potential as a nation with an education system controlled by the colonial Power.

63. **Ms. Santos Valderrama** (Juventud Hostosiana) said that 45 per cent of the population of Puerto Rico lived below the poverty line, 99.5 per cent drank polluted water and school dropout rates exceeded 40 per cent, yet there were plans to close 170 public

schools. The crisis had its roots in United States colonialism and economic restraints imposed by the United States, which controlled, inter alia, customs regulations, natural resources and the education system.

64. The imposition of the financial oversight and management board had worsened the economic, political and social situation of Puerto Rico because of its plans to cut pensions, sell protected natural resources, reduce health-care services and cut the budget of the university by almost half. The board had been established by the United States Congress without input from Puerto Ricans. In the meantime, her generation was fleeing the island.

65. A radical change of course was needed. The Puerto Rican people needed to be freed from their shackles and to exercise their sovereignty. The issue at stake was both political and humanitarian. The Committee should therefore use its good offices to arrange for the case of Puerto Rico to be added to the agenda of the General Assembly so as to ensure the enforcement of international law.

66. **Mr. Tirado** (Alianza Patria) said that voter turnout in Puerto Rico usually exceeded 70 per cent of the population. However, only 22.93 per cent of eligible voters had voted in the 2017 plebiscite. Of those voters, 97.18 per cent had supported statehood, but there had never been an incidence of a lower voter turnout in recent history, and with the exception of the 1967 plebiscite, statehood had never received fewer votes. The boycott had been supported by 77.07 per cent of Puerto Ricans. The plebiscite had not been a legitimate national self-determination process and its results could not be interpreted as a request for statehood by Puerto Ricans.

67. The Governments of the United States and Puerto Rico were playing petty politics and denied the rights of the people of Puerto Rico. The Committee should therefore speak out about the differences between free association and independence, and about the status assembly as a decolonization mechanism. The General Assembly should also add Puerto Rico to the list of colonial territories, thereby obliging the United States to submit reports on the issue, and the United States should be urged to initiate a serious decolonization process. Finally, he invited the Committee to visit Puerto Rico to gain in-depth knowledge of the nature and consequences of colonialism in the island.

68. **Mr. Ramírez Caminatti** (The Immigrant Center) said that Puerto Rico had lost 70,000 public-sector jobs and 164,000 private-sector jobs over the previous 10 years. The United States shared responsibility for the public debt of $73 billion, along with some very bad governors who had misspent public funds. The United States Congress had proved incapable of foreseeing the catastrophe that it had been helping to create.

69. The magic solution proposed by the United States Government was a board with eight members who had no cultural affinities with the people and who had not been elected by them but did have to the power to pass judgment on the decisions taken by the Puerto Rican people. The financial oversight and management board was a tyrannical system imposed without the consent of the people. It spent money that did not exist while calling for austerity.

70. In 2016, the Committee had supported the right of Puerto Rico to self-determination. The fear was that in ten years' time the Committee would still be meeting to discuss the issues at hand while the Puerto Rican people suffered. George Washington himself would agree that a people should be able to make and alter its constitutions of government. The point of decolonization was to respect the inalienable right of peoples to self-determination. The Committee should therefore promote dialogue between the United States Government and sectors of Puerto Rican society that were in favour of ending the current colonial status. Furthermore, until a genuine decolonization process was in place, and to prevent Powers from avoiding accountability before the international community, the Committee should call upon the General Assembly to add Puerto Rico once again to the list of colonies and Non-Self-Governing Territories.

71. **Ms. Ponton Arrington** (Indigenous Women's Knowledge) said that the land of her people had been under the rule of foreign colonial Powers since the fifteenth century. The first thing a colonial ruler attempted to take from the colonized peoples was the right to be themselves. Accordingly, the first step in decolonization was to restore that right, without which no other human rights could exist.

72. The Committee was requested to submit a resolution to the General Assembly supporting the petition of the National Sovereign State of Borinken for full membership in the United Nations, bearing in mind that the United Nations Declaration on the Rights of Indigenous Peoples guaranteed the rights to self-determination and autonomy. Powerful interests should be held accountable for their respect for common decency and human rights.

73. Certain colonial interests had recently called for DNA tests to determine whether her people had died out. That effort had been quickly dropped since it had provided proof of life that did not suit the interests of

the oppressor. From the Spanish barons to the sugar barons, her people had struggled to shed the filthy mantle of the languages and identities imposed by the invaders, but they had survived.

74. **Ms. Velázquez Rodríguez** (Frente Socialista de Puerto Rico) said that the international community needed to be made aware of the seriousness of the human and civil rights situation in Puerto Rico. The establishment of the financial oversight and management board had not merely constituted the imposition of a political instrument. It had also required the implementation of a repressive apparatus to counter resistance and protest. In recent weeks, many people had been arrested even though the arresting officers had been unaware of the reasons for those arrests. Worse still, the arrested had been kept in detention for several days and had not been allowed to contact their lawyers or families. The situation would only get worse because resistance was not going to subside. It was therefore urgent that the case of Puerto Rico was referred to higher forums because the solution to the colonial status of Puerto Rico involved the lives and safety of millions of people. It was too late for more promises.

75. **Mr. Betancourt** (Institute for Multicultural Communications, Cooperation and Development) said that June 2017 would go down in history as the beginning of the end of the colonization of the Puerto Rican people. The financial oversight and management board imposed by the United States showed that Puerto Rico was still a colony and had created an opportunity to push for decolonization when the board had admitted that it could not resolve the $123 billion bankruptcy of Puerto Rico.

76. Nevertheless, pro-statehood forces led by the Governor had campaigned in a bogus "plebiscite" held on 11 June, the same day as the Puerto Rican day parade in New York City. The turnout had been just 23 per cent and, in any event, no plebiscite could be valid without the votes of the diaspora. Meanwhile, the controversy over the designation of Oscar López Rivera as a national freedom hero had highlighted the status issue, which had been politicized by the pro-statehood forces, gaining the issue more publicity than it had ever received before.

77. Puerto Rico should be granted independence with dual citizenship and reparations for the billions of dollars the United States had been extracting from the Puerto Rican economy for decades. Furthermore, the island should remain independent for 10 years before making any decision to adopt any other form of Government the people of Puerto Rico might desire. The United States would thus remove the colonial stain on its democracy and regain its moral standing in the international community. The focus could then be on unifying the country, improving the economy and ensuring peace. Decolonization could be a win-win for Puerto Rico, the United States, the United Nations and the international community.

78. **Mr. Rochet-Santoro** (Concilio de Veteranos y Soldados de Puerto Rico) said that Puerto Rican veterans had come to protest against the imperialism and colonialism of the United States, which had condemned Puerto Rico to a state of colonial servitude which should be considered shameful for a country that claimed to be a defender of human rights, freedom and democracy. However, in the colonial case of Puerto Rico, it treated the people as if they were slaves. Its power was absolute and negated all principles of human rights, freedom and democracy. The Committee should demand that the United States Government should comply with General Assembly resolution 1514 (XV) on the granting of independence to colonial countries and peoples. The entire world should know that Puerto Rican veterans rejected colonialism and servitude. Colonialism was a manifestation of racism and white supremacism. Puerto Rican veterans appealed for support and called for solidarity with the cause of decolonization in Puerto Rico.

Draft resolution A/AC.109/2017/L.12: Decision of the Special Committee of 20 June 2016 concerning Puerto Rico

79. **Ms. Rodríguez Camejo** (Cuba), introducing draft resolution A/AC.109/2017/L.12 on behalf of the sponsors, said that it was incumbent upon the international community to fulfil the Puerto Rican people's hope of achieving a lasting resolution of its colonial situation, a pressing task on the Committee's agenda. The draft resolution reiterated that the Puerto Rican people constituted a Latin American and Caribbean nation that had its own distinct national identity, and noted that, as the economic and fiscal crisis worsened, the current status of Puerto Rico excluded its people from the decision-making process needed to address their urgent economic and social needs and determine their future. The text expressed concern at the imposition on Puerto Rico by the United States Congress of a financial oversight and management board. It also noted that the Supreme Court of the United States had ruled in the case of Puerto Rico v. Sánchez Valle that the original and ultimate source of governmental power in Puerto Rico lay in the United States Congress, and that any limited concession of self-government to Puerto Rico might be

unilaterally revoked by the United States Congress. The text also reiterated concern at the actions carried out against Puerto Rican independence activists, including repression, intimidation and the forced sampling of DNA, and encouraged the investigation of those actions with the necessary rigour and with the cooperation of the relevant authorities. It also took note of the declarations adopted at the recent summits of the Community of Latin American and Caribbean States and Movement of Non-Aligned Countries and welcomed the unconditional release of the Puerto Rican patriot Oscar López Rivera. A new paragraph had been added to note that the consultation carried out by the Government of Puerto Rico on 11 June 2017, with a turnout of under 23 per cent of voters, according to the State Elections Commission of Puerto Rico, had not been designed to promote decolonization in accordance with General Assembly resolution 1514 (XV). The sponsors hoped that the draft resolution would be adopted by consensus.

80. **Mr. Liu** Song (China) said that his delegation supported the draft resolution.

81. **The Chair** said that Ecuador had joined the sponsors of the draft resolution.

82. *Draft resolution A/AC.109/2017/L.12 was adopted.*

83. **Ms. Rodríguez Camejo** (Cuba) said that the adoption of the draft resolution by consensus demonstrated the breadth of support for the Puerto Rican cause. Her delegation welcomed the important contributions made by petitioners and proposed that additional time should be allotted for their statements at future sessions. The special relationship between Cuba and Puerto Rico dated back to the establishment by Cuban national hero José Martí of the Cuban Revolutionary Party in 1892; the Party's aims had included helping to liberate Puerto Rico, a fellow subject of Spanish colonial rule and United States military occupation. The resolution paid tribute to the Puerto Rican people's patriotic spirit and the struggle of such independence heroes as Filiberto Ojeda Ríos. Her country would stand with the Puerto Rican people in defence of their right to self-determination and independence until the final victory was attained.

The meeting rose at 6.05 p.m.

A/AC.109/2017/SR.7

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 7th meeting
Held at Headquarters, New York, on Thursday, 22 June 2017, at 10 a.m.

Chair: Mr. Rivero Rosario (Vice-Chair) ..... (Cuba)

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In the absence of Mr. Ramírez Carreño (Bolivarian Republic of Venezuela), Mr. Rivero Rosario (Cuba), Vice-Chair, took the Chair.

The meeting was called to order at 10.15 a.m.

Requests for hearing

1. **The Chair** reminded the Committee that, at its third meeting held on 12 June 2017, it had acceded to the requests for hearing relating to French Polynesia and New Caledonia contained in aide-mémoires 06/17 and 03/17, respectively. He drew attention to the additional request for hearing relating to French Polynesia (aide-mémoire 06/17 Add.1). He took it that the Committee wished to grant that additional request.

2. *It was so decided.*

Question of French Polynesia
(A/AC.109/2017/7; A/AC.109/2017/L.24)

3. **The Chair** drew attention to the working paper prepared by the Secretariat on French Polynesia (A/AC.109/2017/7) and to a draft resolution on the question of French Polynesia (A/AC.109/2017/L.24).

Hearing of representatives of the Non-Self-Governing Territory

4. **The Chair** said that, in line with the Committee's usual practice, representatives of Non-Self-Governing Territories would be invited to address the Committee and would withdraw after making their statements.

5. **Mr. Terai** (Adviser for International European and Pacific Affairs) said that the majority of French Polynesians wished greater development in partnership with France as part of the French Republic, [illegible] independence. Thanks to increased investment and a sturdier labour market, which had boosted household consumption, the Polynesian economy was recovering after a long period of political instability from 2004 to 2013, but job creation needed to be consolidated. Although certain sectors were recovering more than others, the overall economic prospects for 2017 were good. Still, despite challenges, internal private demand remained high. The Government was intensifying its efforts to create jobs on a massive scale. Relative to other economies of the Pacific region, the French Polynesian economy was healthy: per capita gross domestic product was approximately $20,000 and the minimum monthly wage was $1,500.

6. The Government of French Polynesia had supported Mr. Macron's candidacy for President of France, largely because he had committed to validating the Elysée Accord. Under the Accord, the French Government was to facilitate compensation for those who had suffered the effects of ionising radiation released by the nuclear tests it had carried out in the Territory. The French Government had acknowledged the problems caused by its nuclear testing in French Polynesia and had established a mechanism for compensating the victims. In addition, the French National Assembly had deleted the notion of "negligible risk" from the much-criticised Morin Law, thus allowing a greater number of victims to be compensated. The Accord also provided for irrevocable perpetuation of the comprehensive autonomy contribution at its 2011 level, payment for an oncology unit and the development of French Polynesian public infrastructure and of the blue economy and tourism sectors.

7. French Polynesia was becoming more involved in regional and international affairs. It had participated in the World Ocean Conference held in June 2017 at United Nations Headquarters, it would participate in the twenty-third Conference of the Parties to the United Nations Framework Convention on Climate Change as an associate member of the Economic and Social Commission for Asia and the Pacific in order to support the presidency of Fiji, and it was abiding by the guidelines of the 2030 Agenda for Sustainable Development.

8. The primary political divide in French Polynesia was between advocates of autonomy, who were in favour of a self-governing status within the French Republic, and advocates of independence. French Polynesians had the same rights as other French citizens: they participated in the French elections, as well as in lawful and transparent French Polynesian elections. In the recent election of French Polynesian representatives to the French Parliament, voters had chosen two pro-autonomy parliamentarians and one pro-independence parliamentarian. The next elections for the Assembly of French Polynesia and the President of the Territory would take place in March 2018; at the previous general election, in March 2013, 70 per cent of the electorate had voted for autonomy.

9. In General Assembly resolution 71/120, Member States had stipulated that all available options for self-determination of the Territories were valid as long as they were in accordance with the freely expressed wishes of the peoples concerned, on a case-by-case basis, and that it was ultimately for the people of French Polynesia to determine freely their future political status. The Government of French Polynesia had already negotiated with France a status which

provided a large degree of autonomy, and which more than 70 per cent of the population supported. French Polynesia was not a colony that needed to be decolonized; if its relationship with France was to evolve, that would be a result of a free and democratic choice made by the Polynesian people.

Hearing of petitioners

10. **The Chair** said that, in accordance with the Committee's usual practice, petitioners would be invited to take a place at the petitioners' table and would withdraw after making their statements.

11. **Mr. Tuheiava** (Assembly of French Polynesia) said that, while it had been four years since the adoption of General Assembly resolution 67/265 reinscribing French Polynesia on the list of Non-Self-Governing Territories, the administering Power had yet to transmit the information required under Article 73 *e* of the Charter of the United Nations. The relationship between the Territory of French Polynesia and the administering Power was financially abusive and did not ensure that the interests of the inhabitants of French Polynesia were paramount, in violation of Article 73 of the Charter. In particular, the French Government had maintained full control over the Territory's natural resources.

12. The United Nations Convention on the Law of the Sea appeared to indicate, in part II, section 1, article 2, that full sovereignty over the exclusive economic zone of French Polynesia, which covered 5 million square miles of ocean, lay with France. As a result, France was considered the second largest maritime power in the world, a rank which afforded it significant international maritime trade and geopolitical influence. The same article of the Convention granted France sovereignty over the undersea and seabed resources within, and the aerial zone above, the Territory's exclusive economic zone. The French Government collected several hundred million dollars annually through two taxes that it applied to French Polynesia: a fee payable by airlines which crossed the aerial zone of French Polynesia and landed at its airport, and an airport tax collected on every airline ticket purchased for flights into or out of the Territory. In addition, more than 300 satellites crossed the spatial zone above the exclusive economic zone of French Polynesia every hour, providing significant income for the administering Power. Lastly, the French Organic Law governing French Polynesia gave France unilateral control over the marketing of strategic raw materials — meaning it had full sovereignty over the significant quantities of world-class cobalt, platinum and manganese, as well as rare earth metals, that had been discovered within the Territory's exclusive economic zone. The abovementioned existing and potential sources of revenue should be used for the development of an independent economy, instead of benefiting France.

13. Much of the information on nuclear testing provided to the Special Committee and to the Fourth Committee in previous years had been omitted from all relevant United Nations documents. Such information included the 2014 resolution of the Assembly of French Polynesia in which it called upon the administering Power to recognize the colonial nature of its nuclear testing in French Polynesia, and the fact that the French committee responsible for granting compensation to the victims of nuclear testing had recognized that the deceased spouse of a petitioner before the Fourth Committee had been contaminated by one of the 46 nuclear tests conducted on Moruroa Atoll, even though she had never visited the site — evidence that the entire population of French Polynesia could have been contaminated. Such omissions gave rise to serious concerns that the administering Power was influencing the selection of information to be included in United Nations documents. Future updates on the matter should be more comprehensive and more consistent with the commitment to decolonization expressed by the Secretary-General.

14. **Mr. Corbin** (Dependency Studies Project) said that implementation of the General Assembly resolutions on decolonization was critical for French Polynesia and other small island territories. The democratic deficit and the gross imbalance of power in French Polynesia had been clearly established in the self-governance assessment conducted by the Dependency Studies Project in 2013, which had provided the basis for the reinscription of the Territory on the list of Non-Self-Governing Territories. Currently, the focus was where it should be: on implementing the actions called for in the resolutions on French Polynesia adopted by the General Assembly since 2013, aimed at bringing about a genuine decolonization process and full self-government. Therefore, progress against the actions mandated must be evaluated.

15. The General Assembly had mandated that the administering Power should develop a public awareness campaign in cooperation with the territorial Government and appropriate United Nations bodies. However, the French Government had not developed any such campaign, which was unsurprising in view of its general lack of cooperation with the Special Committee on matters relating to French Polynesia.

The Committee should lead the initiative, and should invite the administering Power to participate.

16. The two reports of the Secretary-General on the consequences of nuclear testing (A/69/189 and A/72/74) had been criticized for providing insufficient information. If the United Nations did not have sufficient information itself, it should publish as a document of the General Assembly the independent study on the consequences of nuclear testing that speakers had been referencing for several years in meetings of the Special Committee and the Fourth Committee.

17. A case-by-case work programme should urgently be put in place for each of the small island territories and, in the case of French Polynesia, the independent self-governance assessment should be used as one of several substantive documents. The absence of case-by-case programmes, despite decades of their inclusion as priorities of the General Assembly, continued to limit the information available to Member States, making it impossible for them to make informed decisions. Such programmes should not have to be initiated by the administering Power. Many small territories that had been engaged in the process had been alienated by the lack of attention paid to their concerns. They did not have a Special Representative of the Secretary-General, nor did the Security Council address their concerns; they only had the Special Committee. However, their issues were being overshadowed by larger concerns that were also addressed by other United Nations system entities. The Committee's working methods should be modernized to provide adequate time for it to address the small territories' issues.

18. An organic link must be established between decolonization resolutions and the United Nations decolonization budget. The proposed programme budget for the biennium 2018-2019 contained no specific references to actions called for in decolonization resolutions which might require additional resources or a reordering of existing resources. After a quarter-century of international decades for the eradication of colonialism, the existing level of resources, and their use, had not been sufficient for the implementation of the specific actions called for in the decolonization mandate. The General Assembly had, ten years previously, endorsed a Plan of Implementation 2006-2007, which identified the specific areas within the United Nations system that would carry out the actions called for in the decolonization resolutions; the Committee might wish to revisit that agreed initiative to avoid repeating the process of adopting resolutions without due regard for their implementation. The barometer for success for French Polynesia and other small territories was the genuine implementation of decolonization resolutions and implementation programmes adopted by the General Assembly. As such, the Committee should strongly encourage such implementation within the United Nations system, and should monitor its effectiveness.

Draft resolution A/AC.109/2017/L.24

19. **Mr. Arcia Vivas** (Bolivarian Republic of Venezuela), speaking in explanation of position before the decision, said that the lack of progress towards the decolonization of French Polynesia was of concern. The administering Power was failing to comply with Article 73 *e* of the Charter of the United Nations, in contravention of the recognition by the General Assembly, in 2013, that French Polynesia was a Non-Self-Governing Territory with the status of a colony, a situation that must be resolved. France must provide the information required by the abovementioned Article. The cooperation and political will it had shown with regard to New Caledonia, and the relative progress it had made in compensating the inhabitants of French Polynesia who had suffered the effects of the nuclear tests that it had carried out in that Territory, should guide the future work of France to enable the French Polynesian people to freely exercise their right to self-determination.

20. The Committee should remain committed to the process of decolonization of French Polynesia, and should continue to allow all those who supported the different options for self-determination, including independence, to be heard.

21. *Draft resolution A/AC.109/2017/L.24 was adopted.*

Question of New Caledonia (A/AC.109/2017/11; A/AC.109/2017/L.11)

22. **Mr. Arcia Vivas** (Bolivarian Republic of Venezuela) said that the Government of France should continue to cooperate, in accordance with General Assembly resolution 71/119 of 2016, with the process of implementing the Nouméa Accord, which entailed allowing the United Nations to continuously monitor the situation in the Territory and, in particular, the preparations for the referendum on full sovereignty, taking into account the serious concerns expressed by sectors of the Kanak population regarding the establishment of the electoral register, on which thousands of Kanaks had not been inscribed. Only by complying with what had been mandated within the stipulated time frames would it be possible for New

Caledonia to realize its self-determination, in accordance with the Charter of the United Nations and the principles and practices of the Organization.

23. In view of the importance of the referendum on self-determination to be held in 2018, the Committee should send a mission to New Caledonia to assess progress on the ground in relation to the referendum and the road towards decolonization, and to make its support for the Kanak people and for the Territory visible.

[Draft resolution A/AC.109/2017/L.11]

24. **Mr. Hufanen Rai** (Papua New Guinea), introducing the draft resolution on the question of New Caledonia on behalf of his country and Fiji, said that both countries looked forward to receiving updates from the administering Power, the territorial administration and the people of New Caledonia on the evolving circumstances in the Territory. The situation in New Caledonia remained fluid and required close monitoring by all stakeholders, in particular by the Committee. However, thanks to the positive engagement of the administering Power, much progress had been made.

25. The draft resolution underscored that New Caledonia was at a critical point given that, under the Nouméa Accord, a self-determination referendum would be held in 2018, after 165 years of colonialism. In that connection, the serious concerns raised about the electoral process by the 2014 United Nations Visiting Mission to New Caledonia must be addressed expeditiously. It was alarming that a sizeable segment of the Territory's population continued to be excluded. The report of the Melanesian Spearhead Group Ministerial Mission to New Caledonia, which had taken place from 24 to 28 April 2017, indicated that some 23,000 Kanaks had yet to be registered on the general electoral list, which was a precondition for inscription on the referendum list. If the outcome of the referendum was to be respected by the people of New Caledonia, the integrity and credibility of the electoral process must be unquestioned; the administering Power and the territorial authorities should therefore attend to those concerns as a matter of urgency. The draft resolution highlighted the importance of voter education and of registering all eligible voters for the referendum, especially indigenous Kanak people. The territorial Government and political parties, and the administering Power, should therefore strengthen public awareness programmes and increase advocacy regarding the self-determination process and the options available to New Caledonians.

26. The draft resolution recognized the ongoing efforts by the administering Power, the territorial Government and the signatories to the Nouméa Accord to resolve various concerns related to the self-determination process through peaceful dialogue. It welcomed the decision of the administering Power to invite the Electoral Assistance Division of the Department of Political Affairs of the Secretariat to conduct a mission in order to observe the work of the special administrative commissions and the advisory committee of experts for the establishment and revision of the special electoral list. It also welcomed the transmission by the administering Power to the Special Committee of the final report of the electoral expert observer mission to New Caledonia conducted in 2016, as well as of the list of measures implemented by the administrative Power to follow up on the recommendations of that mission.

27. The draft resolution reiterated the importance of the fundamental tenets of self-determination as set out in the Charter of the United Nations and relevant General Assembly resolutions. It emphasized the importance of institutional frameworks to the self-determination process; in that context the transfer of powers and skills from the administering Power to the Territory and its people was critical. The draft resolution also emphasized the need to protect the inalienable right of the people of New Caledonia to their natural resources.

28. His delegation and that of Fiji commended the parties of the Front de libération nationale kanak et socialiste (FLNKS) for their continued constructive engagement with countries and organizations in the Pacific region. The admission of New Caledonia to the Pacific Islands Forum in September 2016 was a step forward. Such cooperation by the peoples of Non-Self-Governing Territories facilitated their capacity-building and equipped them with experience in leadership and decision-making in the regional and international arenas, which was imperative for their future destiny. The draft resolution was balanced, fair and representative of all stakeholders' viewpoints, and reflected the aspirations to self-determination of the people of New Caledonia. Therefore, the Committee was requested to adopt the draft resolution by consensus.

29. **Ms. Savitri** (Indonesia) said that her delegation wished to cosponsor draft resolution A/AC.109/2017/L.11.

30. **Mr. Koroma** (Sierra Leone) said that, as New Caledonia approached a historical referendum to be held in 2018, efforts should be made to resolve all

differences peacefully. His delegation was concerned that more than 20,000 Kanaks had been omitted from the voter lists, which was disenfranchising many and could have an adverse effect on the outcome of the referendum. The administering Power should continue to provide economic support to the people of the Territory, and more opportunities should be provided for training and access to higher-level jobs.

31. *Draft resolution A/AC.109/2017/L.11 was adopted.*

Question of Anguilla (A/AC.109/2017/2; A/AC.109/2017/L.14)

32. **The Chair** drew attention to the working paper prepared by the Secretariat on Anguilla (A/AC.109/2017/2) and to a draft resolution on the question of Anguilla (A/AC.109/2017/L.14).

Draft resolution A/AC.109/2017/L.14

33. *Draft resolution A/AC.109/2017/L.14 was adopted.*

Question of Bermuda (A/AC.109/2017/3; A/AC.109/2017/L.15)

34. **The Chair** drew attention to the working paper prepared by the Secretariat on Bermuda (A/AC.109/2017/3) and to a draft resolution on the question of Bermuda (A/AC.109/2017/L.15).

Draft resolution A/AC.109/2017/L.15

35. *Draft resolution A/AC.109/2017/L.15 was adopted.*

Question of the British Virgin Islands (A/AC.109/2017/4; A/AC.109/2017/L.16)

36. **The Chair** drew attention to the working paper prepared by the Secretariat on the British Virgin Islands (A/AC.109/2017/4) and to a draft resolution on the question of the British Virgin Islands (A/AC.109/2017/L.16).

Draft resolution A/AC.109/2017/L.16

37. *Draft resolution A/AC.109/2017/L.16 was adopted.*

Question of the Cayman Islands (A/AC.109/2017/5; A/AC.109/2017/L.17)

38. **The Chair** drew attention to the working paper prepared by the Secretariat on the Cayman Islands (A/AC.109/2017/5) and to a draft resolution on the question of the Cayman Islands (A/AC.109/2017/L.17).

Draft resolution A/AC.109/2017/L.17

39. *Draft resolution A/AC.109/2017/L.17 was adopted.*

Question of Guam (A/AC.109/2017/9; A/AC.109/2017/L.18)

40. **The Chair** drew attention to the working paper prepared by the Secretariat on Guam (A/AC.109/2017/9) and to a draft resolution on the question of Guam (A/AC.109/2017/L.18).

Draft resolution A/AC.109/2017/L.18

41. *Draft resolution A/AC.109/2017/L.18 was adopted.*

Question of Monserrat (A/AC.109/2017/10; A/AC.109/2017/L.19)

42. **The Chair** drew attention to the working paper prepared by the Secretariat on Monserrat (A/AC.109/2017/10) and to a draft resolution on the question of Monserrat (A/AC.109/2017/L.19).

Draft resolution A/AC.109/2017/L.19

43. *Draft resolution A/AC.109/2017/L.19 was adopted.*

Question of Tokelau (A/AC.109/2017/1; A/AC.109/2017/L.7)

44. **The Chair** drew attention to the working paper prepared by the Secretariat on Tokelau (A/AC.109/2017/1) and to a draft resolution on the question of Tokelau (A/AC.109/2017/L.7).

Draft resolution A/AC.109/2017/L.7

45. **Mr. Rai** (Papua New Guinea), introducing draft resolution A/AC.109/2017/L.7 on behalf of his country and Fiji, said that, as the administering Power of Tokelau, New Zealand was to be commended for its continued and consistent provision of adequate information regarding ongoing developments in the self-determination process of Tokelau.

46. Following the unsuccessful outcome of the referendums conducted in Tokelau in 2006 and 2007 on the question of self-determination, the people of Tokelau and its administering Power had agreed to defer the question until such time as the people of the Territory were ready. Since then, both Tokelau and New Zealand had focused on improving the welfare of the people of the Territory by meeting basic needs, including building capacity and resilience against the rise in sea levels and climate change, strengthening good governance, enhancing women's empowerment and equality, ensuring sustainable energy security,

improving maritime transport, and sustainably developing and managing fisheries and other resources in the exclusive economic zone. Those mutually agreed development efforts, guided by the Joint Statement of the Principles of Partnership, were also deployed in support of the implementation of the 2030 Agenda for Sustainable Development in Tokelau. The successful free, fair and democratic election held in 2014 in Tokelau with technical support on voter education provided by the United Nations system had further strengthened the local political system, leadership and decision-making with regard to Territorial affairs.

47. Much of the content from the previous year's resolution on Tokelau remained important. The most significant development that had happened since the Committee's previous session was contained in paragraph 10 and concerned regional and international cooperation. Tokelau had pursued integration with a number of relevant regional institutions. In 2014, it had chaired the Fisheries Committee for the first time and hosted the Ministerial Meeting of the Pacific Islands Forum Fisheries Agency. The Government of Tokelau had participated in the third International Conference on Small Island Developing States in 2014, and in 2016, Tokelau had joined the Pacific Islands Development Forum; it had also chaired the Polynesian Leaders Group in 2016.

48. The constructive cooperation between Tokelau and New Zealand had been illustrated in March 2016 by the arrival in the Territory of the first-ever modern passenger ferry Mataliki, funded by New Zealand. That development was crucial, since the population of Tokelau was entirely dependent on ferry services for shipping goods and transportation, as the islands were not connected by international flights.

49. As the international community focused on the new sustainable development agenda, where poverty eradication, social inclusion and environment protection played key roles, it was imperative for the United Nations to work with the people of Tokelau and the administering Power to determine the Territory's future status. The ongoing cooperative partnership between Tokelau and New Zealand and with all relevant stakeholders, including the Special Committee and the United Nations more generally, demonstrated the Territory's commitment to work towards the well-being of the people of Tokelau in conformity with their aspirations for self-determination. The exemplary mutual understanding and constructive engagement between Tokelau and New Zealand was a useful benchmark for the self-determination process that could be referenced by other Non-Self-Governing Territories and administering Powers.

50. The resolution was seen as a fair, balanced and forward-looking text that would further facilitate the advancement of the self-determination process for the people of Tokelau; the Committee was urged to adopt it by consensus.

51. **Mr. Koroma** (Sierra Leone) said that his delegation commended the administering Power for the good relationship that it maintained with the people of the Territory and encouraged it to continue in the spirit of self-determination. The relationship between Tokelau and New Zealand provided a good example of how an administering Power could help the people of its Territory to achieve self-government and economic development.

52. *Draft resolution A/AC.109/2017/L.7 was adopted.*

The meeting rose at 11.40 a.m.